

UNITED STATES DISTRICT COURT

Feb 02, 2024

SEAN F. McAVOY, CLERK

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 1:22-CR-02088-SAB-1

Plaintiff,

ORDER GRANTING DEFENDANT'S
MOTION TO EXPEDITE AND
GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION TO MODIFY CONDITIONS
OF RELEASE

v.

LUIS OSVALDO HERNANDEZ,

ECF Nos. 79, 80

Defendant.

Before the Court are Defendant's Motion to Modify Conditions of Release (ECF No. 79) and related Motion to Expedite (ECF No. 80). Defendant was represented on these Motions by Assistant Federal Defender Jennifer Barnes.

Defendant requests that the Court remove Special Condition No. 2, which requires Defendant to participate in a program of home confinement. ECF No. 79. Defendant also seeks permission to travel to California for a men's retreat with members of his church. *Id.* The United States Attorney's Office and the United States Probation/Pretrial Services Office have no objection to Defendant's request. *Id.*

The Court, having reviewed the Motion and finding good cause therefor,
HEREBY ORDERS:

1. Defendant's Motion to Expedite (**ECF No. 80**) is **GRANTED**.

2. Defendant's Motion to Modify Conditions of Release (**ECF No. 79**) is
GRANTED IN PART AND DENIED IN PART.¹

3. **Special Condition No. 2 (ECF No. 46) is MODIFIED** in its entirety
to read **as follows:**

2. **Curfew:** Defendant shall be restricted to his residence
every day for such time as directed by the United States
Probation/Pretrial Services Office.

4. All other terms and conditions of pretrial release not inconsistent
herewith shall remain in full force and effect.

5. Defendant's previously imposed conditions of release shall be
temporarily modified to permit Defendant to travel to California for the purposes
of attending a men's retreat with his church. Defendant shall return to the Eastern
District of Washington by February 12, 2024.

6. Defendant's Pastor, Jorge Navarro, shall accompany Defendant
during travel.

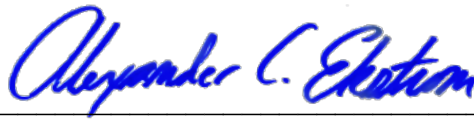
¹ It was unclear from Defendant's Motion whether the Government and United States
Probation/Pretrial Services ("USPO") had agreed to remove the home confinement
requirement entirely, or reduce it to a curfew. In order to rule expeditiously on
Defendant's time-sensitive request, the Court has assumed the latter. However, if
USPO does not object to the removal of the condition entirely, then Defendant may
apprise the Court in a short supplemental brief and the condition will be fully stricken.

1 7. Defendant shall comply with all directives of United States
2 Probation/Pretrial Services regarding travel.

3 8. All other previously imposed conditions of release shall remain in
4 effect

5 **IT IS SO ORDERED.**

6 DATED February 2, 2024.

The signature of Alexander C. Ekstrom is written in blue ink. It is a cursive signature that reads "Alexander C. Ekstrom".

ALEXANDER C. EKSTROM
UNITED STATES MAGISTRATE JUDGE